

Appl. No. 10/026,178
Amdt. dated July 21, 2004
Reply to Office Action of April 21, 2004

Remarks

This amendment is responsive to the US Patent and Trademark Office Action mailed 21-April-2004. Claims 1-25 have been examined with claims 1, 4, 5, 10 and 13 rejected under 35USC102(b) as anticipated by USP 6,150,002 ("002"), claims 2 and 3 rejected under 35USC103(a) as unpatentable over '002 in view of USP 4,158,594 ("594"), claims 6 and 7 rejected as unpatentable under 35 USC 103(a) as unpatentable under 35 USC103(a) as unpatentable over '002 in view of Adhesive Handbook and Plastics Handbook, claims 8, 9, 11 and 12 rejected as unpatentable over '002 in view of USP 6,315,864B2 ("864"), claims 18 and 19 rejected under 35USC103(a) as unpatentable over '002 in view of the Adhesives Handbook ("Handbook"), and claims 20 and 21 rejected under 35USC103(a) as unpatentable over the combination applied against claims 18 and 19 further in view of '864. Claims 14-17 and 22-25 have been indicated as allowable subject to being rewritten in independent form including limitations of the base claim and intervening claims. By the foregoing amendments, independent claims 1 and 18 have been amended to more particularly point out and distinctly claim applicants' invention, and claim 14 has been rewritten in independent form. Claim 13 has been deleted as redundant. Reconsideration of applicants' claims in view of the amendments and the remarks which follow is respectfully requested.

Claims 14-17 have been rewritten in the manner indicated by the Examiner to be allowable.

The amendment to claim 1 is believed to clearly overcome the rejection based on 35USC102(b) over '002. The '002 reference teaches using a hydrophilic adhesive on the first creping side and may use a hydrophobic adhesive on the opposing side if creping the second side is desired (a non-preferred embodiment of '002 – see col. 5, li. 31). Claim 1 as amended calls for the first creping adhesive to be hydrophobic, the opposite arrangement from that of the '002 reference. The disclosure of creping the second side of the '002 structure would not lead one of skill to the invention of claim 1 because the '002 reference desires a hydrophilic/hydrophobic gradient which would still suggest the first hydrophilic creping adhesive. Accordingly, the rejection of claims 1, 4, 5, 10 and 13 under 35USC102(b) is believed to have been overcome, and withdrawal is respectfully requested.

Similarly, the rejection of claims 2 and 3 under 35USC103(a) is believed no longer to apply in view of the above amendment. The addition of the '594 reference does not supply the teachings lacking in the '002 reference particularly considering the express use of hydrophilic adhesives in '002 and, therefore, these claims are believed allowable for the same reasons as claim 1. In addition, applicants repeat the argument that the dryer system of '002 would not lead to the use of hot melt adhesives, in general.

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In like manner the rejection of claims 6 and 7 under 35USC103(a) is also believed no longer to apply because neither of the handbooks supplies the teachings lacking in the '002 reference.

The rejection of claims 8, 9, 11 and 12 under 35USC103(a) likewise is believed overcome as the '864 reference fails to supply the teachings lacking in the primary reference. The combination of these claimed elements with those of the parent claims is not taught by the references as applied, it is respectfully submitted.

The rejection of claims 18 and 19 under 35USC103(a) is believed overcome for the same reasons since the Handbook fails to supply the teachings lacking in the primary reference.

Applicants believe the rejection of claims 20 and 21 under 35USC103(a) is overcome as well because the addition of '864 to the two references applied against claims 18 and 19 still lacks the teaching of the claimed elements of the parent and dependent claims.

In summary, the primary reference alone or in the various combinations applied fails to anticipate or teach a first creping using a hydrophobic hot melt adhesive as claimed by applicants and only discusses hydrophobic adhesives in connection with a non-preferred second side application which may or may not be creped. Accordingly, applicants' claims as amended are believed patentable over the references and this application is believed to be in condition for allowance.

Such favorable action is respectfully solicited.

The undersigned may be reached at 770-587-8096.

Respectfully submitted,

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